



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

David A. Holman, Cynthia J. Bruckner-Lea,  
Fred J. Brockman, and Darrell P. Chandler

Serial No: 09/177,902

Filed: 10/23/98

For: METHOD AND APPARATUS FOR  
PACKED COLUMN SEPARATIONS AND  
PURIFICATIONS

) Art Unit: 1724

) Examiner: Ivars C. Cintins

) Paper No: 2

) File No: E-1658

) Date: January 14, 2000

AMENDMENT

Box Non-Fee Amendment  
Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

Responsive to the Office Action dated 12/21/99, whereby the Examiner has set forth a restriction requirement under 35 U.S.C. 121, Applicant hereby elects the Group I invention of Claims 1-17.

The Examiner further asserts that if the Group I invention is elected, then an election of one of the following species is required:

- (1) chemical sample;
- (2) biological nucleic acid sample; and
- (3) biological protein sample.

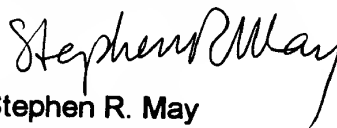
The Applicant particularly notes that the Examiner did not include "biological sample" (claim 10) in this species listing. If this was an oversight on the Examiner's part, the Applicant is prepared to argue that the "biological sample" and "chemical sample" species do not represent independent and distinct inventions. Thus, the

RECEIVED  
JAN 21 2000  
10:10:00 AM  
ROOM

Applicant provisionally elects the "chemical sample" species, the claims readable thereon being the generic claim 8 and the species claims 9 and 10, with the understanding that if no claim to the genus is found to be allowable, this restriction effectively applies to "chemical sample" and "biological sample." That is, the claim associated with the "biological sample" species will not be withdrawn from further consideration if no genus to the "chemical sample" species is found to be allowable.

Should the Examiner have any further observations or comments, he is invited to contact the undersigned for resolution.

Respectfully submitted,



Stephen R. May  
Reg. No. 29,255

Stephen R. May (K1-53)  
Intellectual Property Services  
Battelle Memorial Institute  
Pacific Northwest Laboratories  
P.O. Box 999  
Richland, WA 99352  
(509) 375-2387

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS  
CORRESPONDENCE IS BEING DEPOSITED WITH THE  
UNITED STATES POSTAL SERVICE AS FIRST CLASS  
MAIL IN AN ENVELOPE ADDRESSED TO:  
ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, D.C. 20231, ON THE DATE SET FORTH  
BELOW.

 1/14/00  
SIGNATURE DATE